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PATENT APPLICATION**ATTORNEY DOCKET NO. 10013442-1**

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

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JUN 10 2004**

Inventor(s): David J.C. Johnson & Jonathan P. Lotz**Serial No.: 10/001,586****Examiner: Elmore, Reba I.****Filing Date: 10/31/2001****Group Art Unit: 2187**

**Title: PREEMPTIVE EVICTION OF STALE ENTRIES IN A COMPUTER CACHE BY USE
OF AGE-BITS**

**COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450**

REMARKS IN RESPONSE TO OFFICE ACTION

Sir:

REMARKS

No new matter has been added. Claims 1-4 remain in the application.
Reconsideration and reexamination is respectfully requested.

In paper 3, claims 1-4 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent Application Publication US 2002/0152361 (Dean *et al.*). Applicant respectfully traverses.

In paper 3, paragraph 4, "Dean *et al.*" was cited, without a patent or publication number. There were two "Dean *et al.*" references in the Notice of References Cited. However, from context, the applicant assumes U.S. Patent Application Publication US 2002/0152361 is the intended document.

Claims 1-4 specify evicting an entry in a cache when a bit is at a particular logical state after at least a predetermined time after being set to the particular logical state. In Dean *et al.*, an entry in a cache is evicted when a field of bits reaches a particular value.

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): David Jerome Johnson et al

Application No.: 10/001586

Filing Date: Oct 31, 2001

Title: Preemptive Eviction Of Stale Entries In A Computer Cache By Use Of Age-Bits

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Confirmation No.: 1948

Examiner: Elmore, Reba I

Group Art Unit: 2187

Mail Stop Amendment
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

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TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: _____ (fee \$ _____)


CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	4	MINUS	20	= 0	X \$18	\$ 0
INDEP. CLAIMS	4	MINUS	4	= 0	X \$86	\$ 0
I) FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

(X) hereby certify that this paper is being transmitted
to the Patent and Trademark Office facsimile
number 17031 872-9308 on June 10 2004
Number of pages: 4

Typed Name: Donna M Kraft

Signature: 

David Jerome Johnson et al

By 

Augustus W Winfield

Attorney/Agent for Applicant(s)
Reg. No. 34,046

Date: June 9, 2004